

REMARKS

Reconsideration of this application in light of the present amendment and remarks is respectfully requested.

Claims 1-3, 5, 11, 12, 15, 16, 18, 23 and 25-27 have been rejected.

Claims 4, 6-10, 13, 14, 17, 19-22 and 24 were previously canceled.

Claims 1-3, 5, 11, 12, 15, 16, 18, 23 and 25-27 are pending in this application.

35 U.S.C. §103(a)

Claims 1-3, 5, 11, 12, 15, 16, 18, 22, 23 and 25-27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Amin (EP 0888025) in view of Mashinsky (US Publ. 2006/0160543). This rejection is respectfully traversed.

It is respectfully submitted that the combination of these two references still do not teach or suggest providing different quality of service on different service providers to a mobile station depending upon an operator identity.

In the Examiner's reply, the Examiner admits that Amin describes a partitioned communication system, where a first subscriber of a first service and a second subscriber of a second service share the communication system. Nowhere does Amin describe one subscriber being able to access either of the first and second services. Therefore, Amin could not have further envisioned providing one or the other of the services to the one subscriber depending on an operator identity.

Mashinsky, although describing operator identities, clearly fails to disclose a resource allocator which allocates resource resulting in different quality of service in response to an operator identity.

It is respectfully submitted that both Amin and Mashinsky are missing the element of associating a particular *quality of service* with an *operator identity*, as recited in claim 1. Since quality of service is not a factor in these references, neither of these references could have further envisioned selecting a quality of service depending upon an operator identity as a determining factor.

Therefore, applicant respectfully submits that claim 1 is in a condition for allowance.

Claims 1-3, 5, 11, 12, 15, 16, 18, 23 are dependent upon claim 1, and are therefore deemed allowable as well in view of that dependency.

Independent claim 25 includes all of the recitations of amended claim 1. Therefore, applicant respectfully submits that amended claim 25 is allowable as well for the same reasons.

Claims 26 and 27 are dependent upon amended claim 25, and are therefore deemed allowable as well in view of that dependency.

Accordingly, applicant respectfully requests that this rejection be withdrawn.

The other references of record have been reviewed and applicant's invention is deemed patentably distinct and nonobvious over each taken alone or in combination.

For the foregoing reasons, applicants respectfully request that the above rejections be withdrawn.

Inasmuch as this amendment distinguishes all of the applicants' claims over the prior art references, for the many reasons indicated above, passing of this case is now believed to be in order. A Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection or through an Examiner's amendment.

Authorization is hereby given to charge any fees necessitated by actions taken herein to Deposit Account 50-2117.

Respectfully submitted,
Korale et al.

Customer Number 22917

Motorola, Inc.
Law Dept. - 3rd floor
1303 E. Algonquin Rd.
Schaumburg, IL 60196

By: /Brian Mancini/
Brian M. Mancini
Attorney for Applicant(s)
Registration No. 39,288
Phone: (847) 576-3992
FAX: (847) 576-3750